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## TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. § 371

ATTORNEY'S DOCKET NUMBER 704856-2001

				10./560510								
INTERNATIONAL APPLICATION NO.			NTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED								
		CT/US2003/019406	20 June 2003									
		INVENTION										
APPLICANT(S) FOR DO/EO/US												
Seth SHULMAN; Michael T. SCARDINA; Mitchell D. ALBERS; Vincent L. TADINO												
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:												
1.	$\boxtimes$	This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.										
2.	. 🗆	This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.										
3.		This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.										
4.		The US has been elected (PCT Article 31).										
5.	X	A copy of the International Application as filed (35 U.S.C. 371(c)(2))										
b. has been communicated by the International Bureau.												
6.	с. П	is not required, as the application was filed in the United States Receiving Office (RO/US).  An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).										
	∟ a.	is attached hereto.	,									
		has been previously submitted under 35 U.S.C. 154(d)(4).										
7.		Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).										
	a.	are attached hereto (required only if not communicated by the International Bureau).										
	b.	have been communicated by the International Bureau.										
	C.	have not been made; however, the time limit for making such amendments has NOT expired.										
	d.	have not been made and will not be made.										
8.		An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).										
9.		A oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).										
10.		An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).										
Ite	ms 11	to 20 below concern documen	t(s) or information included:									
11.	X	An Information Disclosure State	ement under 37 CFR 1.97 and 1.98.									
12.		An assignment document for re	ecording. A separate cover sheet in compliance	with 37 CFR 3.28 and 3.31 is included.								
13.		A preliminary amendment.										
14.	X	An Application Data Sheet under 37 CFR 1.76.										
15.		A substitute specification.										
16		A power of attorney and/or change of address letter.										
17		A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.										
18		A second copy of the published international application under 35 U.S.C. 154(d)(4).										
19		A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).										
20.	×	Other items or information: Copy of Published PCT Application WO 2005/007561 A1; Forms PCT/ISA/220; PCT/ISA/210; PCT/IB/308; PCT/ISA/202; PCT/RO/106; PCT/DO/EO/901(a) PCT/RO/102; PCT/RO/105; PCT/IB/301; and Return receipt postcard.										

The collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

## 10/560510

## IAP6 Rec'd PCT/PTO 19 DEC 2005

PTO-1390 (Rev. 12-2004) Approved for use through 03/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE nder the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

U.S. APPLICATION	NO. (if known, see 37 CF	R 1.5)	INTERNATIONAL APPLICATION NO.			ATTORNEY'S DOCKET NUMBER:	
	PCT/US2003/01	9406	20 June 2003				
21. The follow	21. The following fees are submitted:						Office use only
🗵 a) Basic na	ational fee		\$300.00			\$	
∑             b) Examination fee						\$	
C) Search	fee		\$500.00			\$	
	TOTAL OF ABOVE	CALCULATIONS =	\$1000.00			\$1000.00	
listing or co	ee for specification ar mputer program listin 0 sheets of paper or t						
Total Sheets	Extra Sheets		mber of each additional 50 or fraction ereof (round up to a whole number)		RATE	1000.00	
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_	e of <b>\$130.00</b> for fu	\$					
CLA	IMS	NUMBER FILED	NUMBER FILED NUMBER EXTRA RATE				
Total c	laims	20 - 20 =	0		x \$50.00	\$	
Independe	ent claims	2 - 3 =	0		x \$200.00	\$	
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_		\$1000.00					
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	ecording the enclos	\$					
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		1000 00 4 4 7	\$				

- a. A check in the amount of \$ to cover the above fees is enclosed.
- b. Please charge my <u>Deposit Account No. 50-2518</u> (our ref. 704856-2001) in the amount of \$1600.00 to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to <a href="Deposit Account No. 50-2518">Deposit Account No. 50-2518</a> (our ref. 704856-2001). A duplicate copy of this sheet is enclosed.
- d. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Malcolm K. McGowan, Esq. Bingham McCutchen LLP Three Embarcadero Center, 18<sup>th</sup> Floor San Francisco, California 94111-4067

Telephone: (202) 778-6150 Facsimile: (202) 778-6150

Mulul K Bh ga

Malcolm K. McGowan
NAME

39 300

REGISTRATION NUMBER

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Mail Stop PCT, Attn. RO/US, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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